

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	Case No. 2:08-CR-64-WKW
)	
ALBERT GREGORY BIRMINGHAM)	

PRETRIAL CONFERENCE ORDER

A pretrial conference was held on June 30, 2008 before the undersigned Magistrate Judge. Present at this conference was the Honorable William W. Whatley, counsel for the defendant, and Assistant United States Attorney A. Clark Morris standing in for Verne H. Speirs as counsel for the government. As a result of the conference, it is

ORDERED as follows:

1. Jury selection is set for **August 18, 2008**. The trial of this case is set for the trial term commencing on **August 18, 2008** before **United States District Judge William Keith Watkins, at the United States District Court, Montgomery, AL** and is expected to last three (3) days for trial.

2. There are no motions currently pending.

3. Proposed voir dire questions shall be filed on or before **August 11, 2008**.

Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All Motions in Limine shall be filed on or before **August 11, 2008**. Motions in Limine must be accompanied by a brief. Failure to file a brief will result in denial of the

motion.

5. Proposed jury instructions shall be filed on or before **August 11, 2008**.

6. The court will not consider a plea pursuant to Rule 11(c) (1)(A) or (C) unless notice is filed on or before **noon on August 6, 2008**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on **August 18, 2008**. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on **August 18, 2008**, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 30th day of June, 2008.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE